

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Robert Kelliher,

Civil No. 08-1411 (RHK/FLN)

Petitioner,

ORDER

v.

Federal Bureau of Prisons, Warden M. Cruz,

Respondents.

Before the Court is Petitioner's Objection to the December 15, 2008 Report and Recommendation of Magistrate Judge Franklin L. Noel. Judge Noel has recommended that the Petition for Writ of Habeas Corpus be denied.

Having reviewed de novo the Report and Recommendation and the Objection thereto, the undersigned is satisfied that Judge Noel's recommended disposition is supported by the factual record before him and applicable legal principles. Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation and Order (Doc. No. 14) is **ADOPTED**;
2. Petitioner's Objection (Doc. No. 19) is **OVERRULED**;
3. Petitioner's application for writ of habeas corpus (Doc. No. 1) is **DENIED**; and
3. The Motion for Bond (Doc. No. 12) is **DENIED**.

Dated: March 17, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge